

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

BARBARA ROSENBLOOM, individually,
and on behalf of all others similarly situated,

Plaintiff,

v.

Case No.
Hon.
Mag.

NATIONAL HEALTH PLANS & BENEFITS
AGENCY, LLC, a Michigan limited liability
Company

Defendant.

BUTSCH, ROBERTS & ASSOCIATES, LLC
David T. Butsch (#37539)
Christopher E. Roberts (#61895)
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Clayton, MO 63105
(314) 863-5700
butsch@butschroberts.com
roberts@butschroberts.com

O'REILLY RANCILIO P.C.
Joseph N. Ejbeh (P48961MI)
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Sterling Heights, MI 48313
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**NOTICE OF REMOVAL
PURSUANT TO TITLE 28 U.S.C. §1441**

TO: CLERK OF THE COURT

NOW COMES Defendant, NATIONAL HEALTH PLANS & BENEFITS AGENCY, LLC, by and through its attorneys, O'REILLY RANCILIO P.C., and hereby respectfully submits this Notice of Removal for the above captioned case, and as grounds for removal states as follows:

1. That Plaintiff filed an action in the Circuit Court of St. Louis County, Missouri against Defendant on or about January 18, 2019 which case was assigned Case No. 19SL-CC00170.

2. That Defendant was served with a copy of said Complaint and Summons by Mail, on or about January 21, 2019. A copy of the documents filed with the State Court are attached to this pleading pursuant to 28 U.S.C. §1446(a), as Exhibit A.

3. That this case is accordingly being removed within thirty (30) days after receipt by Defendant of a copy of the initial pleadings setting forth the claim for relief.

4. That no other pleadings, other than the Complaint and Summons, Affidavit of Service and Request for Appointment of Process Server has been received by Defendant in the state court action.

5. That the above-captioned action is a civil action over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1331 and is one which may be removed to this Court by the petitioner, Defendant National Health Plans & Benefits Agency, LLC herein, pursuant to the provisions of Title 28, United States Code, Section 1441, in that it involves a civil action arising under the Constitution, laws, or treaties of the United States, specifically, 47 U.S.C. §227.

6. Pursuant to 28 U.S.C. §1446(d), a copy of this Notice is being filed concurrently with the Clerk of the St. Louis County Circuit Court, State of Missouri and served on all adverse parties.

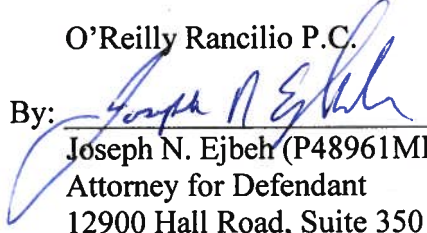
7. Based on the foregoing, Defendant is entitled to remove this Action to this Court under 28 U.S.C. §1441, *et seq.*

WHEREFORE, Defendant gives notice that this action is therefore removable to this Court pursuant to 28 United States Code Section 1331 because it is within this Court's original jurisdiction.

Respectfully submitted,

O'Reilly Rancilio P.C.

By:


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Dated: January 30, 2019